

UNITED STATES'  
EXHIBIT 3

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

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MARC VEASEY, JANE HAMILTON, )  
SERGIO DELEON, FLOYD J. CARRIER, )  
ANNA BURNS, MICHAEL MONTEX, )  
PENNY POPE, OSCAR ORTIZ, KOBY )  
OZIAS, JOHN MELLOR-CRUMLEY, JANE )  
DOE, JOHN DOE, LEAGUE OF UNITED )  
LATIN AMERICAN CITIZENS (LULAC), )  
AND DALLAS COUNTY, TEXAS, )

*Plaintiffs,*

v.

RICK PERRY, Governor of Texas; and JOHN )  
STEEN, Texas Secretary of State, )

*Defendants.*

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UNITED STATES OF AMERICA, )

*Plaintiffs,*

v.

STATE OF TEXAS, JOHN STEEN, in his )  
official capacity as Texas Secretary of State; )  
and STEVE McCRAW, in his official capacity )  
as Director of the Texas Department of Public )  
Safety, )

*Defendants.*

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TEXAS STATE CONFERENCE OF NAACP )  
BRANCHES; and the MEXICAN )  
AMERICAN LEGISLATIVE CAUCUS OF )  
THE TEXAS HOUSE OF )  
REPRESENTATIVES, )

CIVIL ACTION NO.  
2:13-CV-193 (NGR)  
[Lead case]

CIVIL ACTION NO.  
2:13-CV-263 (NGR)  
[Consolidated case]

*Plaintiffs,*

v.

JOHN STEEN, in his official capacity as  
Secretary of State of Texas; and STEVE  
McCRAW, in his official capacity as Director  
of the Texas Department of Public Safety,

*Defendants.*

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BELINDA ORTIZ, LENARD TAYLOR,  
EULALIO MENDEZ JR., LIONEL  
ESTRADA; ESTELA GARCIA ESPINOSA,  
ROXANNE HERNANDEZ, LYDIA LARA,  
MARGARITO MARTINEZ LARA,  
MAXIMINA MARTINEZ LARA, AND  
*LA UNION DEL PUEBLO ENTERO, INC.*

*Plaintiffs,*

v.

STATE OF TEXAS; JOHN STEEN, in his  
Official capacity as Texas Secretary of State;  
And STEVE McCRAW, in his official capacity  
As Director of the Texas Department of  
Public Safety,

*Defendants.*

) CIVIL ACTION NO.

) 2:13-CV-291 (NGR)

) [Consolidated case]

) CIVIL ACTION NO.

) 2:13-CV-348 (NGR)

) [Consolidated case]

**DEFENDANTS' SECOND REQUEST FOR PRODUCTION**  
**TO PLAINTIFF UNITED STATES OF AMERICA**

Pursuant to the Federal Rules of Civil Procedure, Defendants, the State of Texas, Rick Perry, John Steen and Steve McCraw, by and through the Attorney General for the State of Texas requests that you identify and produce the documents and items requested below to counsel for Defendants. Please serve your responses and any objections on the undersigned

attorneys within 30 days of service of these requests. This request is continuing in nature as provided by Rule 26(e) of the Federal Rules of Civil Procedure.

### **DEFINITIONS**

The following terms have the following meanings, unless the context requires otherwise:

1. You & your. The terms “you” and “your” means the Department of Justice; the Department of Defense; the Federal Bureau of Investigation; the United States Citizenship and Immigration Services; the Department of State; the United States Social Security Administration; the Department of Veteran’s Affairs; the department of Transportation Security Administration; the Department of Homeland Security; the United States Congress; Eric H. Holder, Jr., Attorney General of the United States and his agents, representatives, attorneys, experts, and other persons acting or purporting to act on Eric H. Holder, Jr’s behalf; and Barack H. Obama, President of the United States and his agents, representatives, attorneys, experts, and other persons acting or purporting to act on Barack H. Obama’s behalf.

2. Document. The term “document” means information that is fixed in a tangible medium, such as paper, or electronically stored information. It includes, but is not limited to, writings, drawings, films, charts, photographs, notices, memoranda, diaries, minutes, correspondence, books, journals, ledgers, reports, worksheets, notes, printed e-mails, letters, abstracts, audits, charts, checks, diagrams, drafts, instructions, lists, logs, resumes, and summaries.

a. Electronically stored information. The term “electronically stored information” means electronic information that is stored in a medium from which it can be retrieved and examined. It includes, but is not limited to, all electronic files that can be retrieved from electronic storage.

(1) “Electronic file” includes, but is not limited to, the following: electronic documents, voicemail messages and files; e-mail messages and files; deleted files; temporary files; system-history files; Internet- or web-browser-generated information stored in textual, graphical, or audio format, including history files, caches, and cookies; computer-activity logs; and metadata.

(2) “Electronic storage” refers to electronic files contained on magnetic, optical, or other storage media, such as hard drives, flash drives, DVDs, CDs, tapes, cartridges, floppy diskettes, smart cards, integrated-circuit cards (e.g., SIM cards).

3. Tangible thing. The term “tangible thing” means a physical object that is not a document.

4. Communication. The term “communication” means the transmittal of information in the form of facts, ideas, inquiries, or otherwise.

5. Relating. The term “relating” means concerning, referring, describing, evidencing, supporting, refuting, or constituting, either directly or indirectly.

6. And & or. The connectives “and” and “or” should be construed either conjunctively or disjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside its scope.

7. Complaint. The term “Complaint” means Document 1 in 2:13-cv-00263 in the Southern District of Texas.

### **REQUESTS FOR PRODUCTION**

1. Please produce all documents and tangible things relating to the claim in paragraph 37 in your Complaint that “Hispanic and African-American voters in Texas, as compared to Anglo voters, disproportionately lack the forms of photo ID required by SB 14.”
2. Please produce all documents and tangible things relating to the claim in paragraph 38 of your Complaint that “The burden and resulting disenfranchisement will disproportionately affect Hispanic and African-American Texans, who are disproportionately poor.”
3. Please produce all documents and tangible things relating to the claim in paragraph 38 in your Complaint that “Hispanic and African-American Texans...disproportionately lack access to transportation.”
4. Please produce all documents and tangible things relating to the claim in paragraph 39 of your Complaint that “Texas elections at virtually every level are marked by a pattern of racially polarized voting.”
5. Please produce all documents and tangible things relating to the claim in paragraph 39 of your Complaint that “Many Hispanic and African-American citizens in Texas continue to suffer the effects of official discrimination, including a history of discrimination in voting-related activities.”
6. Please produce all documents and tangible things relating to the claim in paragraph 35 in your Complaint that “SB 14 will disproportionately impact Hispanic and African-American voters in the State of Texas, resulting in their being disenfranchised at a greater rate than Anglo voters.”
7. Please produce all documents and tangible things relating to the claim in paragraph 36 in your Complaint that “A substantial portion of Texas voters, many of whom are African American or Hispanic, lack the forms of photo ID required by SB 14.”
8. Please produce all documents and tangible things relating to the claim in paragraph 27 in your Complaint that “Legislative debate and public statements concerning these voter Id bills contained anti-immigration rhetoric.” This request does not seek any documents or tangible things in which a non-Legislator, non-Defendant, or non-agent/representative of Texas made any such alleged statement.

9. Please produce all documents and tangible things relating to the claim in paragraph 28 of your Complaint that “The State sought to minimize minority legislators’ effective participation in the debate concerning SB 14.”
10. Please produce all documents and tangible things relating to any allegations (substantiated or unsubstantiated) of voter fraud in any national, state, or local election within the United States of America. “Voter fraud” in this request includes, but is not limited to, in-person voter impersonation or attempted in-person voter impersonation.
11. Please produce all documents and tangible things relating to any requirement to provide photographic identification in order to enter any Federal building or part of any building. This request includes any list of acceptable and/or unacceptable photographic identification required to enter any Federal building. “Federal building” in this request includes both structures commonly referred to as “buildings” and also tracts of real property.

Dated: February 3, 2014

Respectfully submitted.

GREG ABBOTT  
Attorney General of Texas

DANIEL T. HODGE  
First Assistant Attorney General

JONATHAN F. MITCHELL  
Solicitor General

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/s/ John B. Scott  
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COUNSEL FOR THE STATE OF TEXAS, RICK  
PERRY, JOHN STEEN, and STEVE MCCRAW



**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document is being served by electronic mail on February 3, 2014, to all counsel of record.

/s/ John B. Scott

JOHN B. SCOTT

Deputy Attorney General for Civil Litigation